

108TH CONGRESS  
2D SESSION

# H. R. 3839

To authorize the Secretary of Homeland Security to make grants to address homeland security preparedness shortcomings of units of municipal and county government.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2004

Mrs. MCCARTHY of New York (for herself, Mr. FROST, Mr. OWENS, Mrs. JONES of Ohio, Mr. RUPPERSBERGER, Mr. STARK, Mr. SERRANO, Ms. WOOLSEY, Mr. RANGEL, Mrs. MALONEY, Ms. MCCOLLUM, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize the Secretary of Homeland Security to make grants to address homeland security preparedness shortcomings of units of municipal and county government.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Domestic Preparedness  
5   Act of 2004”.

1 **SEC. 2. GRANT AUTHORITY.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-  
3 rity may make grants in accordance with this Act to ad-  
4 dress homeland security preparedness shortcomings of  
5 units of municipal and county government.

6 (b) CATEGORIES.—Each grant under this section  
7 shall be made for one of the following categories of use:

8 (1) Equipment and training.

9 (2) Improving interoperability between members  
10 of a consortium of municipal or county governments.

11 (c) COST SHARING.—The Federal share of the costs  
12 of an activity carried out with a grant under this section—

13 (1) may not exceed 70 percent of the total costs  
14 of such activity, in the case of a grant for equipment  
15 and training; and

16 (2) may not exceed 90 percent of the total costs  
17 of such activity, in the case of a grant for improving  
18 interoperability between members of a consortium of  
19 municipal or county governments.

20 **SEC. 3. GRANT ELIGIBILITY.**

21 (a) IN GENERAL.—To be eligible for a grant under  
22 this Act, an applicant must be a unit of municipal or coun-  
23 ty government or a consortium of such units.

24 (b) LIMITATION.—

1           (1) IN GENERAL.—A unit of municipal or coun-  
 2           ty government, or a consortium of such units, may  
 3           not receive more than one grant under this Act.

4           (2) RESTRICTION ON ADDITIONAL GRANT TO  
 5           MEMBER OF CONSORTIUM.—A unit of municipal or  
 6           county government that is a member of a consor-  
 7           tium that receives a grant under this Act is not eli-  
 8           gible to receive an additional grant under this Act  
 9           individually or as a member of another consortium.

10 **SEC. 4. APPLICATION.**

11           (a) IN GENERAL.—Any unit of municipal or county  
 12           government may submit an application for a grant under  
 13           this section to the Secretary, on behalf of such unit or  
 14           on behalf of a consortium of which the unit is a member.

15           (b) CONTENTS.—An application under this section—

16                   (1) shall seek funding for one of the categories  
 17                   of use required under section 2(b); and

18                   (2) shall include the results of a vulnerability  
 19                   assessment in accordance with section 5.

20 **SEC. 5. VULNERABILITY ASSESSMENT.**

21           (a) IN GENERAL.—The Secretary may not make a  
 22           grant under this Act unless the applicant for the grant  
 23           conducts a vulnerability assessment that assesses the risk  
 24           and vulnerability of the applicant (including each member  
 25           of the applicant, in the case of a consortium) to a variety

1 of possible acts of terrorism, including conventional, bio-  
2 logical, nuclear, and chemical attacks.

3 (b) REQUIREMENTS FOR ASSESSMENTS.—The Sec-  
4 retary of Homeland Security shall prescribe requirements  
5 for vulnerability assessments under this section.

6 (c) LIMITATION ON GRANTS FOR EQUIPMENT OR  
7 TRAINING.—The Secretary may not make a grant under  
8 this Act for equipment and training unless the Secretary  
9 determines that the grant will address a need determined  
10 in the vulnerability assessment conducted under this sec-  
11 tion for purposes of the grant.

12 **SEC. 6. USE OF GRANT.**

13 Amounts provided as a grant under this section—

14 (1) shall be used only for the category of use  
15 under section 2(b) for which the grant is made;

16 (2) may be used only for new domestic pre-  
17 paredness initiatives;

18 (3) shall not be used to sustain or supplement  
19 existing program; and

20 (4) may be distributed by the grantee to fire  
21 departments, police departments, emergency serv-  
22 ices, and public health agencies of the grantee.

23 **SEC. 7. RELATIONSHIP TO OTHER GRANT PROGRAMS.**

24 The program of grants under this Act—

1           (1) is intended to complement, and not not take  
2           the place of, the Assistance to Firefighters Program  
3           conducted by the Office of Domestic Preparedness;  
4           and

5           (2) does not affect the eligibility of any person  
6           for the Assistance to Firefighters Grants or any  
7           other funding made available by the Department of  
8           Homeland Security.

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